

## LABOUR DEPARTMENT

The 23rd May, 1977

No. 4284-4Lab-77/12437.—In pursuance of the provisions of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workman and the management of M/s. Laxmi Rattan Engineering Works Ltd., Industrial Area No. 1, Faridabad :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 72 of 1975

*between*

SHRI HARICHAND GANDHI WORKMAN AND THE MANAGEMENT OF M/S LAXMI  
RATTAN ENGINEERING WORKS LTD., INDUSTRIAL AREA NO. 1, FARIDABAD

*.Present :*

Shri R. N. Roy for the workman.

Shri R. C. Sharma for the management.

## AWARD

By order No. ID/FD/75/16113, dated 18th March, 1975, the Governor of Haryana, referred the following dispute between the management of M/s Laxmi Rattan Engineering Works Ltd., Industrial Area No. 1, Faridabad and its workman Shri Hari Chand Gandhi to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the dismissal of Shri Hari Chand Gandhi was justified and in order ? If not, what relief is he entitled to ?

On receipt of the reference, notices were issued to the parties. The parties appeared and put in their pleadings. Thereafter the parties led their evidence and closed their case respectively. Then the case was fixed for arguments. At the time of arguments, the parties stated that they were negotiating a settlement, hence the case was adjourned for 2/3 times for settlement. Finally a settlement was arrived at between the parties. The workman agreed to accept a sum 7,000 only, from the management for giving up his dispute. He further stated that after receipt of this amount of Rs 7,000 only, he shall have no other claim or right whatsoever even against his dues. He further stated that the amount of Rs 7,000 as stated above include gratuity, bonus, earned leave compensation, earned wages, retrenchment compensation etc. The workman also agreed that he shall have no right to reinstatement or re-employment by the management. Thus the workman settled once for all his dispute, rights, claim and dues ante and post his termination. The representative of the management agreed to that and prayed for giving an award on the basis of the abovesaid settlement. The statements of the workman and the representative of the management were recorded. They stated according to the above said settlement. I, therefore, give my award on the basis of the settlement as follows:—

- (1) That the workman is entitled to receive a sum of Rs 7,000 only from the management against all his rights, claims, dues and for resolving the dispute ante and post his termination of service by the management.
- (2) That on receipt of this amount of Rs. 7,000 only by the workman from the management, there remains no dispute between the parties. That the workman shall neither claim amounts of gratuity, bonus, earned leave compensation, earned wages, retrenchment compensation etc., nor reinstatement and re-employment by the management. This finally settle the dispute once for all.

NATHU RAM SHARMA,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

Dated the 12th April, 1977.

No. 418, dated the 28th April, 1977

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 4287-4Lab-77/12439.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workman and the management of M/s S. P. Virmani & Sons Private Ltd., Jawala Textile, Palam Delhi Road, Gurgaon.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 1 of 1977

between

SHRI SATBIR SINGH, WORKMAN AND M/S. S. P. VIRMANI & SONS PRIVATE LTD., JAWALA  
TEXTILE, PALAM DELHI ROAD, GURGAON

Present :

Shri Rajinder Singh Dahyia for the workman.

Shri G. D. Verma for the management.

#### AWARD

By order No. ID/GG/101-H-76/47278, dated 28th December, 1977, the Governor of Haryana referred the following dispute between the management of M/s S. P. Virmani & Sons Private Ltd., Jawala Textile, Palam Delhi Road, Gurgaon, and its workman Shri Satbir Singh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Satbir Singh was justified and in order? If not, to what relief is he entitled?

On receipt of the reference, notices were issued to the parties. The parties put in their pleadings. Today the workman filed his rejoinder. At this stage a compromise took place between the parties. The authorised representative of the workman stated that the workman was ready to join his duty and shall not claim back wages although his continuity of service may be kept intact. The representative of the management agreed to this. I, therefore, give my award as follows:—

That the termination of services of Shri Satbir Singh was not justified. According to compromise, he is entitled to reinstatement with continuity of service but is not entitled to any back wages.

NATHU RAM SHARMA,

Dated the 28th April, 1977.

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 415, dated the 28th April, 1977

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

Dated the 28th April, 1977.